

# Exhibit A

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**From:** Jim Etheridge  
**Sent:** Thursday, July 23, 2020 10:14 PM  
**To:** Barry Shelton  
**Cc:** Ryan Loveless; Jim Etheridge  
**Subject:** RE: WSOU v. Microsoft

Barry,

Just heard back from the client. WSOU cannot agree to another 30 day extension and the resulting delay the case schedule and prejudice to WSOU.

Our offer for an additional 6 days (total of 66 days) remains open, as does the proposal you and I discussed earlier today, which gets MS its desired 30 day extension without the prejudice to WSOU.

I hope MS will reconsider its position.

Cordially,  
Jim

WSOU (wah-soo)

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**From:** Barry Shelton <bshelton@sheltoncoburn.com>  
**Sent:** Thursday, July 23, 2020 2:21 PM  
**To:** Jim Etheridge <jim@etheridgelaw.com>  
**Cc:** Ryan Loveless <ryan@etheridgelaw.com>  
**Subject:** RE: WSOU v. Microsoft

Jim,

I have a counter-proposal: Microsoft requests a 30-day extension for the following eight cases and will answer the remaining four on August 4:

- 6:20cv454 (Pat. 7,366,160)
- 6:20cv456 (Pat. 7,676,550)
- 6:20cv458 (Pat. 7,388,868)
- 6:20cv460 (Pat. 8,625,758)
- 6:20cv461 (Pat. 7,106,702)
- 6:20cv462 (Pat. 7,106,727)
- 6:20cv464 (Pat. 7,706,519)
- 6:20cv465 (Pat. 8,274,902)

As part of this proposal, Microsoft does not agree to the filing of an early notice of readiness for the eight cases listed above, but WSOU could of course file a notice of readiness for the other four cases on August 4, 2020. If your client does not agree to this proposal, Microsoft will file opposed motions for extension of time to answer in the eight cases above.

Regards,

Barry

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**From:** Jim Etheridge <[jim@etheridgelaw.com](mailto:jim@etheridgelaw.com)>  
**Sent:** Thursday, July 23, 2020 9:17 AM

**To:** Barry Shelton <[bshelton@sheltoncoburn.com](mailto:bshelton@sheltoncoburn.com)>  
**Cc:** Ryan Loveless <[ryan@etheridgelaw.com](mailto:ryan@etheridgelaw.com)>; Jim Etheridge <[jim@etheridgelaw.com](mailto:jim@etheridgelaw.com)>  
**Subject:** RE: WSOU v. Microsoft

Barry,

My client has approved, along the lines of the notice you sent yesterday.

(1) We jointly notify the court by August 4<sup>th</sup> (current answer date), MS to get the 30 days to Sept 3<sup>rd</sup>. No further extensions.

(2) You (cc us) will send the same type email to the clerk of this arrangement.

If you are in agreement, please send the proposed filing for our review.

Cordially,  
Jim

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**From:** Barry Shelton <[bshelton@sheltoncoburn.com](mailto:bshelton@sheltoncoburn.com)>  
**Sent:** Thursday, July 23, 2020 7:40 AM  
**To:** Jim Etheridge <[jim@etheridgelaw.com](mailto:jim@etheridgelaw.com)>  
**Cc:** Ryan Loveless <[ryan@etheridgelaw.com](mailto:ryan@etheridgelaw.com)>  
**Subject:** RE: WSOU v. Microsoft

Jim,

Why don't we take that proposal to our respective clients and see if we can reach agreement? If not, we'll file the opposed motion for extension of time to answer. Thanks,

Barry

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**From:** Jim Etheridge <[jim@etheridgelaw.com](mailto:jim@etheridgelaw.com)>  
**Sent:** Thursday, July 23, 2020 7:04 AM  
**To:** Barry Shelton <[bshelton@sheltoncoburn.com](mailto:bshelton@sheltoncoburn.com)>  
**Cc:** Ryan Loveless <[ryan@etheridgelaw.com](mailto:ryan@etheridgelaw.com)>; Jim Etheridge <[jim@etheridgelaw.com](mailto:jim@etheridgelaw.com)>  
**Subject:** RE: WSOU v. Microsoft

Do you agree, that in our cases we would notify the court by August 4<sup>th</sup> (current answer date) in exchange for the 30 days.

We also need to write the same type email to the clerk.

Is that a proposal I can take back to my client?

Jim

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**From:** Barry Shelton <[bshelton@sheltoncoburn.com](mailto:bshelton@sheltoncoburn.com)>  
**Sent:** Thursday, July 23, 2020 7:00 AM  
**To:** Jim Etheridge <[jim@etheridgelaw.com](mailto:jim@etheridgelaw.com)>  
**Cc:** Ryan Loveless <[ryan@etheridgelaw.com](mailto:ryan@etheridgelaw.com)>  
**Subject:** RE: WSOU v. Microsoft

Normally, it would be after the defendant answers.

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**From:** Jim Etheridge <[jim@etheridgelaw.com](mailto:jim@etheridgelaw.com)>  
**Sent:** Thursday, July 23, 2020 6:59 AM  
**To:** Barry Shelton <[bshelton@sheltoncoburn.com](mailto:bshelton@sheltoncoburn.com)>  
**Cc:** Ryan Loveless <[ryan@etheridgelaw.com](mailto:ryan@etheridgelaw.com)>; Jim Etheridge <[jim@etheridgelaw.com](mailto:jim@etheridgelaw.com)>  
**Subject:** RE: WSOU v. Microsoft

Barry,  
by what date would we notify the court of "case ready."  
Jim

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**From:** Barry Shelton <[bshelton@sheltoncoburn.com](mailto:bshelton@sheltoncoburn.com)>  
**Sent:** Thursday, July 23, 2020 6:50 AM  
**To:** Jim Etheridge <[jim@etheridgelaw.com](mailto:jim@etheridgelaw.com)>  
**Cc:** Ryan Loveless <[ryan@etheridgelaw.com](mailto:ryan@etheridgelaw.com)>  
**Subject:** RE: WSOU v. Microsoft

Jim,

I think it's a little too early to tell and I have not discussed that with my client yet. Those items are discussed in a meet and confer that takes place 3 days before the CMC. I would appreciate getting your proposal this morning on our request for extension.

Barry

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**From:** Jim Etheridge <[jim@etheridgelaw.com](mailto:jim@etheridgelaw.com)>  
**Sent:** Thursday, July 23, 2020 5:18 AM  
**To:** Barry Shelton <[bshelton@sheltoncoburn.com](mailto:bshelton@sheltoncoburn.com)>  
**Cc:** Ryan Loveless <[ryan@etheridgelaw.com](mailto:ryan@etheridgelaw.com)>; Jim Etheridge <[jim@etheridgelaw.com](mailto:jim@etheridgelaw.com)>  
**Subject:** RE: WSOU v. Microsoft

Barry,  
Thank you for that clarification. Are there any issues Microsoft has with the standard orders, any live issues between the parties that you are aware of?  
Jim

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**From:** Barry Shelton <[bshelton@sheltoncoburn.com](mailto:bshelton@sheltoncoburn.com)>  
**Sent:** Wednesday, July 22, 2020 11:40 PM  
**To:** Jim Etheridge <[jim@etheridgelaw.com](mailto:jim@etheridgelaw.com)>  
**Cc:** Ryan Loveless <[ryan@etheridgelaw.com](mailto:ryan@etheridgelaw.com)>  
**Subject:** RE: WSOU v. Microsoft

No – it essentially occurred through email by virtue of the law clerk confirming that there weren't any live issues requiring the Court's assistance. So the case schedule is based on the date of the CMC as if it occurred as scheduled.

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**From:** Jim Etheridge <[jim@etheridgelaw.com](mailto:jim@etheridgelaw.com)>  
**Sent:** Wednesday, July 22, 2020 11:38 PM  
**To:** Barry Shelton <[bshelton@sheltoncoburn.com](mailto:bshelton@sheltoncoburn.com)>  
**Cc:** Ryan Loveless <[ryan@etheridgelaw.com](mailto:ryan@etheridgelaw.com)>  
**Subject:** RE: WSOU v. Microsoft

So you don't expect another CMC in that case?

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**From:** Barry Shelton <[bshelton@sheltoncoburn.com](mailto:bshelton@sheltoncoburn.com)>

**Sent:** Wednesday, July 22, 2020 11:37 PM

**To:** Jim Etheridge <[jim@etheridgelaw.com](mailto:jim@etheridgelaw.com)>

**Cc:** Ryan Loveless <[ryan@etheridgelaw.com](mailto:ryan@etheridgelaw.com)>

**Subject:** RE: WSOU v. Microsoft

It had nothing to do with the earlier CMC – the Court has so many cases that lately they're cancelling CMCs if the parties don't have any schedule or discovery limit issues. Even though the CMC is cancelled, it still sets the beginning of the schedule.

Barry

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**From:** Jim Etheridge <[jim@etheridgelaw.com](mailto:jim@etheridgelaw.com)>

**Sent:** Wednesday, July 22, 2020 11:32 PM

**To:** Barry Shelton <[bshelton@sheltoncoburn.com](mailto:bshelton@sheltoncoburn.com)>

**Cc:** Ryan Loveless <[ryan@etheridgelaw.com](mailto:ryan@etheridgelaw.com)>; Jim Etheridge <[jim@etheridgelaw.com](mailto:jim@etheridgelaw.com)>

**Subject:** RE: WSOU v. Microsoft

Barry,

This seemed to be working, but at the last minute the Court cancelled the hearing. What is the inside scoop on that?

Jim

Jun. 17, 2020

17

NOTICE of Readiness for Initial Case Management Conference by PayPal, Inc. (Hoffman, David) (Entered: 06/17/2020)

Jun. 18, 2020

Text Order GRANTING 16 Motion for Extension of Time to Answer entered by Judge Alan D Albright. Came on for consideration is Defendant's Motion. Noting that it is unopposed, the Court GRANTS the Motion. Defendant shall have up to and including July 3, 2020 to answer or otherwise respond to Plaintiff's Complaint. (This is a text-only entry generated by the court. There is no document associated with this entry.) (jy) (Entered: 06/18/2020)

Jun. 30, 2020

18

ORDER GOVERNING PROCEEDINGS PATENT CASE: Telephonic Rule 16 Case Management Conference set for 7/17/2020 09:00 AM before Judge Alan D Albright. Signed by Judge Alan D Albright. (lad) (Entered: 06/30/2020)

Jun. 17, 2020

17

NOTICE of Readiness for Initial Case Management Conference by PayPal, Inc. (Hoffman, David) (Entered: 06/17/2020)

Jun. 18, 2020

Text Order GRANTING 16 Motion for Extension of Time to Answer entered by Judge Alan D Albright. Came on for consideration is Defendant's Motion. Noting that it is unopposed, the Court GRANTS the Motion. Defendant shall have up to and including July 3, 2020 to answer or otherwise respond to Plaintiff's Complaint. (This is a text-only entry generated by the court. There is no document associated with this entry.) (jy) (Entered: 06/18/2020)

Jun. 30, 2020

18

ORDER GOVERNING PROCEEDINGS PATENT CASE: Telephonic Rule 16 Case Management Conference set for 7/17/2020 09:00 AM before Judge Alan D Albright. Signed by Judge Alan D Albright. (lad) (Entered: 06/30/2020)

Jul. 16, 2020  
25

ORDER Cancelling TELEPHONIC SCHEDULING CONFERENCE on Friday, July 17, 2020. Signed by Judge Alan D Albright. (lad) (Entered: 07/16/2020)

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**From:** Barry Shelton <[bshelton@sheltoncoburn.com](mailto:bshelton@sheltoncoburn.com)>  
**Sent:** Wednesday, July 22, 2020 3:23 PM  
**To:** Jim Etheridge <[jim@etheridgelaw.com](mailto:jim@etheridgelaw.com)>  
**Cc:** Ryan Loveless <[ryan@etheridgelaw.com](mailto:ryan@etheridgelaw.com)>  
**Subject:** RE: WSOU v. Microsoft

Jim,

Here you go.

Barry

---

**From:** Jim Etheridge <[jim@etheridgelaw.com](mailto:jim@etheridgelaw.com)>  
**Sent:** Wednesday, July 22, 2020 9:40 AM  
**To:** Barry Shelton <[bshelton@sheltoncoburn.com](mailto:bshelton@sheltoncoburn.com)>  
**Cc:** Ryan Loveless <[ryan@etheridgelaw.com](mailto:ryan@etheridgelaw.com)>; Jim Etheridge <[jim@etheridgelaw.com](mailto:jim@etheridgelaw.com)>  
**Subject:** RE: WSOU v. Microsoft

Barry,  
Do you have time for a call today at 3pm?  
Jim

---

**From:** Barry Shelton <[bshelton@sheltoncoburn.com](mailto:bshelton@sheltoncoburn.com)>  
**Sent:** Wednesday, July 22, 2020 6:46 AM  
**To:** Jim Etheridge <[jim@etheridgelaw.com](mailto:jim@etheridgelaw.com)>  
**Cc:** Ryan Loveless <[ryan@etheridgelaw.com](mailto:ryan@etheridgelaw.com)>  
**Subject:** RE: WSOU v. Microsoft

Jim,

Please state WSOU's position on Microsoft's first request for extension. I expected to hear from you yesterday.

Regards,

Barry

---

**From:** Jim Etheridge <[jim@etheridgelaw.com](mailto:jim@etheridgelaw.com)>  
**Sent:** Monday, July 20, 2020 11:09 PM  
**To:** Barry Shelton <[bshelton@sheltoncoburn.com](mailto:bshelton@sheltoncoburn.com)>  
**Cc:** Ryan Loveless <[ryan@etheridgelaw.com](mailto:ryan@etheridgelaw.com)>; Jim Etheridge <[jim@etheridgelaw.com](mailto:jim@etheridgelaw.com)>  
**Subject:** RE: WSOU v. Microsoft

I appreciate it that. It would be the first time for me that a party has sought an extension after the 60 or 90 day period on a waiver.

Our understanding was that would be the final answer date. For what's it worth, your request was for "another 4-6 week extension to the deadline to answer."

We are researching it for the client and expect to get back to you tomorrow.

Cordially,

Jim

---

**From:** Barry Shelton <[bshelton@sheltoncoburn.com](mailto:bshelton@sheltoncoburn.com)>

**Sent:** Monday, July 20, 2020 9:21 PM

**To:** Jim Etheridge <[jim@etheridgelaw.com](mailto:jim@etheridgelaw.com)>

**Cc:** Ryan Loveless <[ryan@etheridgelaw.com](mailto:ryan@etheridgelaw.com)>

**Subject:** RE: WSOU v. Microsoft

Thank you, Jim. For what it's worth, it would be the first opposed motion for extension of time I've filed in 16 years practicing in the district.

Regards,

Barry

---

**From:** Jim Etheridge <[jim@etheridgelaw.com](mailto:jim@etheridgelaw.com)>

**Sent:** Monday, July 20, 2020 9:17 PM

**To:** Barry Shelton <[bshelton@sheltoncoburn.com](mailto:bshelton@sheltoncoburn.com)>

**Cc:** Ryan Loveless <[ryan@etheridgelaw.com](mailto:ryan@etheridgelaw.com)>; Jim Etheridge <[jim@etheridgelaw.com](mailto:jim@etheridgelaw.com)>

**Subject:** RE: WSOU v. Microsoft

Barry,

I intend to review with the client and expect to be able to respond tomorrow.

Cordially,

Jim

---

**From:** Barry Shelton <[bshelton@sheltoncoburn.com](mailto:bshelton@sheltoncoburn.com)>

**Sent:** Sunday, July 19, 2020 10:46 PM

**To:** Jim Etheridge <[jim@etheridgelaw.com](mailto:jim@etheridgelaw.com)>

**Cc:** Ryan Loveless <[ryan@etheridgelaw.com](mailto:ryan@etheridgelaw.com)>

**Subject:** RE: WSOU v. Microsoft

Jim,

You might want to read Fed. R. Civ. P. 4. Microsoft hasn't yet received an extension to answer. Waiving service of the summons provides a defendant with 60 days to answer, not a 60-day extension of time to answer.

Regards,

Barry

---

**From:** Jim Etheridge <[jim@etheridgelaw.com](mailto:jim@etheridgelaw.com)>  
**Sent:** Sunday, July 19, 2020 10:25 PM  
**To:** Barry Shelton <[bshelton@sheltoncoburn.com](mailto:bshelton@sheltoncoburn.com)>  
**Cc:** Ryan Loveless <[ryan@etheridgelaw.com](mailto:ryan@etheridgelaw.com)>; Jim Etheridge <[jim@etheridgelaw.com](mailto:jim@etheridgelaw.com)>  
**Subject:** RE: WSOU v. Microsoft

Barry,

Thank you for your email. We have already complied with Rule AT-4.

"The court expects a lawyer to grant other lawyers' requests for reasonable extensions of time (60 days extension already) to respond to discovery, pretrial motions, and other pretrial matters. Opposing such requests wastes resources, unless the client's legitimate interests will be adversely affected (we clearly explained our legitimate interests). At this point any motion by Microsoft would indeed waste resources, of both the parties and the court.

I remind you that "The Court is generally willing to extend the response to the Complaint up to 45 days if agreed by the parties. However, longer extensions are disfavored and will require good cause."

You have yet to articulate any good cause (other than to state a general rule). Given that the court disfavors any further extensions, and Microsoft has the burden, please articulate your good cause in writing, so that we may fully consider it prior to any meet and confer.

Cordially,

Jim

---

**From:** Barry Shelton <[bshelton@sheltoncoburn.com](mailto:bshelton@sheltoncoburn.com)>  
**Sent:** Friday, July 17, 2020 4:52 PM  
**To:** Jim Etheridge <[jim@etheridgelaw.com](mailto:jim@etheridgelaw.com)>  
**Cc:** Ryan Loveless <[ryan@etheridgelaw.com](mailto:ryan@etheridgelaw.com)>  
**Subject:** RE: WSOU v. Microsoft

Jim,

I remind you of the Local Rule AT-4 (Standards for Pretrial Conduct), which states in relevant part:

(b) Requests for Extensions of Time. The court expects a lawyer to grant other lawyers' requests for reasonable extensions of time to respond to discovery, pretrial motions, and other pretrial matters. Opposing such requests wastes resources, unless the client's legitimate interests will be adversely affected.

The parties need to meet and confer before Microsoft files its opposed motion for extension of time to answer so that we can better understand WSOU's opposition to Microsoft's motion. Please provide your availability early next week to meet and confer.

Regards,



Barry

---

**From:** Jim Etheridge <[jim@etheridgelaw.com](mailto:jim@etheridgelaw.com)>  
**Sent:** Thursday, July 16, 2020 5:59 PM  
**To:** Barry Shelton <[bshelton@sheltoncoburn.com](mailto:bshelton@sheltoncoburn.com)>  
**Cc:** Jim Etheridge <[jim@etheridgelaw.com](mailto:jim@etheridgelaw.com)>; Ryan Loveless <[ryan@etheridgelaw.com](mailto:ryan@etheridgelaw.com)>  
**Subject:** WSOU v. Microsoft

Barry,

Unfortunately, WSOU does not consent to an additional 4-6 week delay for Microsoft to answer or otherwise respond. Any further delay will likely prejudice WSOU in the event that Microsoft files petitions for IPRs.

Cordially,  
Jim

---

**From:** Barry Shelton <[bshelton@sheltoncoburn.com](mailto:bshelton@sheltoncoburn.com)>  
**Sent:** Wednesday, July 15, 2020 5:31 PM  
**To:** Jim Etheridge <[jim@etheridgelaw.com](mailto:jim@etheridgelaw.com)>; Ryan Loveless <[ryan@etheridgelaw.com](mailto:ryan@etheridgelaw.com)>; Travis Richins <[travis@etheridgelaw.com](mailto:travis@etheridgelaw.com)>  
**Cc:** Elise Freeland <[elise@etheridgelaw.com](mailto:elise@etheridgelaw.com)>  
**Subject:** RE: WSOU Investments v. Microsoft

Thanks, Jim.

Barry

---

**From:** Jim Etheridge <[jim@etheridgelaw.com](mailto:jim@etheridgelaw.com)>  
**Sent:** Wednesday, July 15, 2020 5:29 PM  
**To:** Barry Shelton <[bshelton@sheltoncoburn.com](mailto:bshelton@sheltoncoburn.com)>; Ryan Loveless <[ryan@etheridgelaw.com](mailto:ryan@etheridgelaw.com)>; Travis Richins <[travis@etheridgelaw.com](mailto:travis@etheridgelaw.com)>  
**Cc:** Elise Freeland <[elise@etheridgelaw.com](mailto:elise@etheridgelaw.com)>; Jim Etheridge <[jim@etheridgelaw.com](mailto:jim@etheridgelaw.com)>  
**Subject:** RE: WSOU Investments v. Microsoft

Barry,

I am checking with the client and expect to be able to respond tomorrow.

Cordially,  
Jim

---

**From:** Barry Shelton <[bshelton@sheltoncoburn.com](mailto:bshelton@sheltoncoburn.com)>  
**Sent:** Wednesday, July 15, 2020 3:38 PM  
**To:** Jim Etheridge <[jim@etheridgelaw.com](mailto:jim@etheridgelaw.com)>; Ryan Loveless <[ryan@etheridgelaw.com](mailto:ryan@etheridgelaw.com)>; Travis Richins <[travis@etheridgelaw.com](mailto:travis@etheridgelaw.com)>  
**Cc:** Elise Freeland <[elise@etheridgelaw.com](mailto:elise@etheridgelaw.com)>  
**Subject:** RE: WSOU Investments v. Microsoft

Jim,

Can I get WSOU's position on the requested extension?

Regards,

Barry

---

**From:** Barry Shelton

**Sent:** Monday, July 13, 2020 2:50 PM

**To:** Jim Etheridge <[jim@etheridgelaw.com](mailto:jim@etheridgelaw.com)>; Ryan Loveless <[ryan@etheridgelaw.com](mailto:ryan@etheridgelaw.com)>; Travis Richins <[travis@etheridgelaw.com](mailto:travis@etheridgelaw.com)>

**Cc:** Elise Freeland <[elise@etheridgelaw.com](mailto:elise@etheridgelaw.com)>

**Subject:** RE: WSOU Investments v. Microsoft

Jim,

Can Microsoft get another 4-6 week extension to the deadline to answer or otherwise respond?

Regards,

Barry

---

**From:** Jim Etheridge <[jim@etheridgelaw.com](mailto:jim@etheridgelaw.com)>

**Sent:** Friday, June 5, 2020 11:51 AM

**To:** Barry Shelton <[bshelton@sheltoncoburn.com](mailto:bshelton@sheltoncoburn.com)>; Ryan Loveless <[ryan@etheridgelaw.com](mailto:ryan@etheridgelaw.com)>; Travis Richins <[travis@etheridgelaw.com](mailto:travis@etheridgelaw.com)>

**Cc:** Elise Freeland <[elise@etheridgelaw.com](mailto:elise@etheridgelaw.com)>; Jim Etheridge <[jim@etheridgelaw.com](mailto:jim@etheridgelaw.com)>

**Subject:** RE: WSOU Investments v. Microsoft

Barry,

Please find attached the summons issued for the WSOU v Microsoft cases. We understand the answer date will be 60 days later, which I calculate as Monday, August 3, 2020. Please confirm and thank you for reaching out.

Look forward to working with you.

Jim

---

**From:** Jim Etheridge <[jim@etheridgelaw.com](mailto:jim@etheridgelaw.com)>

**Sent:** Thursday, June 4, 2020 8:50 AM

**To:** Barry Shelton <[bshelton@sheltoncoburn.com](mailto:bshelton@sheltoncoburn.com)>; Ryan Loveless <[ryan@etheridgelaw.com](mailto:ryan@etheridgelaw.com)>; Travis Richins <[travis@etheridgelaw.com](mailto:travis@etheridgelaw.com)>

**Cc:** Elise Freeland <[elise@etheridgelaw.com](mailto:elise@etheridgelaw.com)>; Jim Etheridge <[jim@etheridgelaw.com](mailto:jim@etheridgelaw.com)>

**Subject:** RE: WSOU Investments v. Microsoft

Good Morning Barry,

We plan to have the summonses issue today. The answer date will then be 60 days later, which I calculate as Monday, August 3, 2020.

Please confirm and thank you for reaching out.  
Look forward to working with you.

Cordially,  
Jim

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**From:** Barry Shelton <[bshelton@sheltoncoburn.com](mailto:bshelton@sheltoncoburn.com)>  
**Sent:** Thursday, June 4, 2020 12:22 AM  
**To:** Jim Etheridge <[jim@etheridgelaw.com](mailto:jim@etheridgelaw.com)>; Ryan Loveless <[ryan@etheridgelaw.com](mailto:ryan@etheridgelaw.com)>; Travis Richins <[travis@etheridgelaw.com](mailto:travis@etheridgelaw.com)>  
**Cc:** Elise Freeland <[elise@etheridgelaw.com](mailto:elise@etheridgelaw.com)>  
**Subject:** RE: WSOU Investments v. Microsoft

Jim,

Per FRCP 4(d)(3), waiving service of the summons automatically provides the defendant with 60 days to answer. Please confirm that once the summonses are issued that you want Microsoft to waive service of the summonses and I'll file AO399s in all the cases.

Regards,

Barry

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**From:** Jim Etheridge <[jim@etheridgelaw.com](mailto:jim@etheridgelaw.com)>  
**Sent:** Wednesday, June 3, 2020 10:43 PM  
**To:** Barry Shelton <[bshelton@sheltoncoburn.com](mailto:bshelton@sheltoncoburn.com)>; Ryan Loveless <[ryan@etheridgelaw.com](mailto:ryan@etheridgelaw.com)>; Travis Richins <[travis@etheridgelaw.com](mailto:travis@etheridgelaw.com)>  
**Cc:** Elise Freeland <[elise@etheridgelaw.com](mailto:elise@etheridgelaw.com)>; Jim Etheridge <[jim@etheridgelaw.com](mailto:jim@etheridgelaw.com)>  
**Subject:** RE: WSOU Investments v. Microsoft

Hi Barry,

Thank you for your email. We will be requesting summons tomorrow. As before, WSOU will agree to a 45-day extension of time to answer in each of the cases if MS will waive service of the summonses. As such please send the executed AO399s in each of the cases to waive service of the summonses.

Cordially,  
Jim

---

**From:** Barry Shelton <[bshelton@sheltoncoburn.com](mailto:bshelton@sheltoncoburn.com)>  
**Sent:** Wednesday, June 3, 2020 3:33 PM  
**To:** Jim Etheridge <[jim@etheridgelaw.com](mailto:jim@etheridgelaw.com)>; Ryan Loveless <[ryan@etheridgelaw.com](mailto:ryan@etheridgelaw.com)>; Travis Richins <[travis@etheridgelaw.com](mailto:travis@etheridgelaw.com)>  
**Subject:** RE: WSOU Investments v. Microsoft

Jim,

Microsoft will waive service of the summonses in the 12 newly-filed cases as we did last time, but I noticed that you haven't requested the summonses. Let me know if you want to discuss. Thanks,

Barry

---

**From:** Barry Shelton  
**Sent:** Thursday, May 7, 2020 10:03 AM  
**To:** [jim@etheridgelaw.com](mailto:jim@etheridgelaw.com); [ryan@etheridgelaw.com](mailto:ryan@etheridgelaw.com); [travis@etheridgelaw.com](mailto:travis@etheridgelaw.com)  
**Subject:** WSOU Investments v. Microsoft

Counsel:

Regards,

Barry

**Barry K. Shelton | Partner**  
Shelton Coburn LLP  
311 RR 620 S, Suite 205  
Austin, Texas 78734-4775  
T: (512) 263-2165 | F: (512) 263-2166 | M: (512) 517-9998  
[bshelton@sheltoncoburn.com](mailto:bshelton@sheltoncoburn.com) | [www.sheltoncoburn.com](http://www.sheltoncoburn.com)